

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Health



Prescription Drug Marketing Costs
A Guide for Pharmaceutical Manufacturers and Labelers
Published by the District of Columbia Department of Health
Calendar Year 2014

Description of Requirements

Pursuant to the requirements of Chapter 18 of Title 22 of the District of Columbia Municipal Regulations (DCMR), entitled “Prescription Drug Marketing Costs,” and Title III of the AccessRx Act of 2004, manufactures and labelers of prescription drugs dispensed in the District of Columbia (“District”) who engage in marketing in the District must report to the Department of Health (“Department”) their costs for pharmaceutical drug marketing in each calendar year by July 1st of the following year.

IMPORTANT: Change to gift expense reporting requirements

The District has changed its gift reporting requirements in light of the new federal Open Payments reporting requirements (<http://go.cms.gov/openpayments>). Gifts given to physicians and teaching hospitals after July 31, 2013 must be reported to the US Department of Health and Human Services (HHS). A physician is a doctor of medicine or osteopathy, a doctor of dental surgery or medicine, a doctor of podiatric medicine, a doctor of optometry, or a chiropractor. See, 42 U.S.C.A. § 1395x(r). Companies should not report gifts reported to HHS (i.e., gifts to physicians and teaching hospitals) to the District of Columbia.

Gifts made to recipients other than physicians and teaching hospitals must still be reported to the District. Reporting requirements for aggregate and advertising expenses remain unchanged.

Submission Procedures

Fill out the “Company Information,” “Gift Expenses,” “Advertising Expenses,” and “Aggregate Cost” worksheets of the workbook titled “2014_Prescription_Drug_Marketing_Costs.xls,” and email the workbook containing the “Company Information,” “Gift Expenses,” and “Advertising Expenses” worksheets to DC.Accessrx@dc.gov. Although you are required to utilize the “Aggregate Cost” worksheet to perform your calculations, you are not required to submit the worksheet itself. You may elect instead to only submit the total based on your calculations using the “Aggregate Cost” worksheet. The other three worksheets must be submitted. **Submit your report in Excel format, not as a PDF.** In addition, print out the “Company Information” worksheet **only**, provide wet signature certification, and mail it to the Department accompanied by a **\$5,000*** check made payable to **“D.C. Treasurer.”**

The report must be submitted by July 1st, and the signed statement and check must be received within seven (7) days of the report's submission.

Mail signed "Company Information" worksheets and checks to:

Department of Health
Pharmaceutical Control – AccessRx
ATTN: Patricia M. D'Antonio
899 N. Capitol Street, NE
Second Floor
Washington, D.C. 20002

***With passage of the "Fiscal Year 2010 Balanced Budget Support Emergency Act of 2010," the fee for the program is \$5,000.**